



Appeal Decision

Site visit made on 25 July 2017

by V Lucas-Gosnold LLB MCD MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 18th August 2017

Appeal Ref: APP/T4210/W/17/3176167

57 Parr Lane, Unsworth, Bury, BL9 8JR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Unsworth Smile Clinic against the decision of Bury Metropolitan Borough Council.
 - The application Ref 61048, dated 22 January 2017, was refused by notice dated 1 March 2017.
 - The development proposed is the vertical extension of the existing property from a two storey building to a three storey building.
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Decision

1. The appeal is allowed and planning permission is granted for the vertical extension of the existing property from a two storey building to a three storey building at 57 Parr Lane, Unsworth, Bury, BL9 8JR in accordance with the terms of the application, Ref 61048, dated 22 January 2017, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 9297-001a- Location Plan; 9297-011b- Existing & Proposed Floor Plans; 9297-021b- Existing & Proposed Elevations.
 - 3) No development shall commence until details / samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details / samples.
 - 4) Before the first occupation of the extension hereby permitted the windows on the north elevation of the second floor extension shall be fitted with obscured glazing (minimum level 3) and shall be permanently retained in that condition thereafter.
 - 5) No development shall commence unless and until full details of the following have been submitted to and agreed with the Local Planning Authority:
 - i) A method statement to cover all works/activities abutting the unadopted footway on Parr Lane, including the provision, where necessary, of temporary pedestrian facilities/protection measures;

- ii) Parking on site or on land within the applicant's control of operatives' vehicles together with storage on site of construction materials.

The details subsequently approved shall be implemented to an agreed programme and to the satisfaction of the Local Planning Authority, with the measures retained and facilities used for the intended purpose for the duration of the construction period.

Main Issue

- 2. The main issue is the effect of the development proposed on the character and appearance of the area.

Reasons

- 3. The appeal property is a two storey building operating as a dental clinic situated within a busy local shopping centre. The wider area is residential in character.
- 4. The development proposed would see the vertical extension of the building to form a three storey property so as to provide additional space to meet the needs of the existing clinic. The extension proposed would have a flat roof design and would increase the height of the building by approximately 2.7m taking the overall height to approximately 10.6m. The original application to which this appeal relates was refused at Planning Committee contrary to the recommendation of the Council's officer.
- 5. The appeal property is situated between a single storey medical centre and a row of single storey shops with a flat roof design. There are examples of two storey and three storey properties in the surrounding area. The visual appearance of the appeal building and the neighbouring row of shops is functional in nature. There are blocks of residential properties on the opposite side of the road which are also of a different design. The appeal building is therefore situated within a busy, local shopping centre where there is some diversity in the streetscene in terms of scale, design and visual appearance.
- 6. The appeal building has a simple, utilitarian appearance that is of no particular architectural merit. The proposal would see the addition of a single-storey extension that would be off-set from the front of the building. Whilst the proposed extension would alter the visual appearance of the property, the use of a light-weight steel structure with metal cladding and glazing would ensure a visually low key, modern addition that would not be seen as an incongruous feature in the context of the diversity in design that exists in the area.
- 7. Accordingly, I conclude that the development proposed would not be harmful to the character and appearance of the area. The proposal would therefore not conflict with policy EN1/2 of the Council's Unitary Development Plan Policy or their Supplementary Planning Document 16 'Design and Layout of New Development in Bury' which together seek to ensure that proposals do not have an unacceptable adverse effect on the character and townscape of the area.

Other Matters

- 8. The Council officer's report acknowledges that the dental clinic is a valuable community facility and that the principle of an extension to the existing

building to expand the existing facilities would be welcome, subject to certain criteria. I have already concluded that the design of the proposal would be acceptable.

9. Based on the separation distances between the appeal property and neighbouring properties and subject to a condition requiring obscure glazing to be fitted in the proposed north elevation, I am also satisfied that the effect on the amenity of local occupants would be acceptable.
10. In terms of the effect of the proposal on parking in the area, the appellant states that the clinic operates under an NHS contract and that the number of staff and patients would not increase as a consequence of the proposal. Rather the proposal is intended to improve facilities for the existing staff and patients. Whilst I acknowledge the concerns of local residents regarding parking in the local area, the location is well served by public transport and there is a high number of residential properties within walking distance of the clinic. I also understand that there is a car park nearby that patients visiting the clinic can use for a small fee. Based on the information before me, the appeal property is in a location that is accessible via public transport and there is some off-street parking provision provided for existing patients. I am therefore satisfied that the proposal would be acceptable with regard to its effect on parking.

Conclusion and Conditions

11. For the reasons given above, I conclude that the appeal should be allowed.
12. I have considered the Council's suggested conditions in line with the advice in the Framework and the Planning Practice Guidance (PPG).
13. I have attached a commencement condition and a condition requiring the development to be carried out in accordance with the submitted plans, to define the terms of this permission and for the avoidance of doubt. I have also attached a condition requiring the submission of samples/details of the materials to be used in the construction of the external surfaces of the development to ensure there will be no harm to the character or appearance of the area.
14. I have also attached a condition requiring the windows in the north elevation of the extension to be fitted with obscure glazing to ensure that the development would not be harmful to the living conditions of neighbouring occupants in regard to privacy.
15. A condition is also necessary requiring details of works next to the footpath and the storage of materials and parking during the construction period to ensure that the development will not be harmful to pedestrian and highway safety.

V Lucas-Gosnold

INSPECTOR